

Mr Nigel Dexter  
Savills  
33 Margaret Street  
London  
W1G 0JD

Application Ref: **2015/1627/P**  
Please ask for: **Jonathan McClue**  
Telephone: 020 7974 **4908**

5 November 2015

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement**

Address:

**Linton House**  
**39 - 51 Highgate Road**  
**London**  
**NW5 1RT**

Proposal:

Variation of condition 2 (development in accordance with approved plans) of planning permission 2013/3494/P (granted on appeal under APP/X5210/A/13/2207697) dated 03/03/2014 (for an additional floor at roof level to provide 7 residential flats and a ground floor extension to provide an entrance, cycle and refuse storage) to expand the approved roof level extensions and raise the existing parapet of the building; amend the mix of residential units to provide 1x1 bed, 3x2 bed and 3x3 bed units; external changes at ground floor level and alterations to the roof level terraces, sedum roof and plant equipment.

Drawing Nos: Revised Plans: 001 Rev P1; 120 Rev P1; 125 Rev P3; 126 Rev P2; 301 Rev P2; 302 Rev P2; 303 Rev P2; SK80; Roof Landscape and Biodiversity by CSA dated July 2015; Lifetime Homes Statement by CSA dated July 2015; Design and Access Statement by CSA dated July 2015; Penthouse Application - Mix of Units dated July 2015; Letter from Nigel Dexter dated 18/03/2015; Code for Sustainable Homes Pre-assessment (Job - 02640) by Synergy Rev A dated 13/03/2015 and Energy Assessment by Synergy Issue 3 dated 13/03/2015.



Superseded Plans: location plan (unnumbered); 152 005 P1, 010 P1, 011 P1, 031 P1, 032 P1, 033 P1, 110 P1, 111 P3, 112 P3, 200 P3, 311 P3, 312 P3, 313 P3, 320 P3.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 For the purposes of this decision, condition no.2 of planning permission 2013/3494/P shall be replaced with the following condition:

**REPLACEMENT CONDITION 2**

The development hereby permitted shall be carried out in accordance with the following approved plans- 001 Rev P1; 120 Rev P1; 125 Rev P3; 126 Rev P2; 301 Rev P2; 302 Rev P2; 303 Rev P2; SK80; Roof Landscape and Biodiversity by CSA dated July 2015; Lifetime Homes Statement by CSA dated July 2015; Design and Access Statement by CSA dated July 2015; Penthouse Application - Mix of Units dated July 2015; Letter from Nigel Dexter dated 18/03/2015; Code for Sustainable Homes Pre-assessment (Job - 02640) by Synergy Rev A dated 13/03/2015 and Energy Assessment by Synergy Issue 3 dated 13/03/2015.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 2 For the purposes of this decision, condition no.8 of planning permission 2013/3494/P shall be replaced with the following condition:

**REPLACEMENT CONDITION 8**

The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 3 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 of the London Borough of Camden Local Development Framework

## Development Policies.

- 4 Prior to the first occupation of the building a plan showing details of the green roof including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CS13, CS14, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23, DP24 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

## Informative(s):

- 1 Reasons for granting permission.

The proposed changes include the expansion of the approved roof level extensions; an alteration to the housing mix from 2x1 bed, 4x2 bed and 1x3 bed to 1x1 bed, 3x2 bed and 3x3 bed units and alterations to the roof level terraces, sedum roof and plant equipment. It would also include the raising of the parapet and external changes at ground floor level as approved under 2014/6628/P.

The previously approved extension at roof level would be expanded in terms of both length (towards the side elevations facing Carker's Lane and Greenwood Place) and depth toward the front elevation (Highgate Road) to allow an increased internal floorspace to each of the seven residential units. Overall, the roof extension would appear more centrally placed atop the host building; would maintain a large setback (3.3m on the north elevation, 2m on the east elevation, 4.1m on the south elevation and 1.8m on the west elevation) from the parapet of the building which has been raised as part of 2014/6628/P to make the roof addition appear more subordinate; the extension would not be visually prominent from street level and wider views; the fenestration has been maintained by aligning with the windows below and enforcing the strong lines of the brick piers which are essential to the architectural character of the existing building; the external façade would be constructed out of lightweight materials, predominantly glass with areas of perforated dark metal panels; the additional structures above the proposed roof extension have been positioned and designed to relate well to the building below, they would be setback from the roof of the extension to be subordinate and not visible from surrounding views.

The total number of units would remain, there would be a loss of a low priority unit (1 bed) and the amount of high priority units (2 bed) would still remain at over 40% (3 out of 7 units) in accordance with policy DP5. The resulting internal floor areas of the altered units would be in accordance with the requirements of the London

Plan and CPG2 (Housing). The units would provide an adequate quality of residential accommodation.

An amended Lifetimes Homes Statement has been submitted confirming that all of the applicable criteria would be met in accordance with policy DP6. These details would be secured via planning condition.

Due to the scale and nature of the extensions and their relationship with adjacent properties, the proposal would not result in any additional impacts on residential amenity in comparison to the approved scheme by way of a loss of light, outlook or any increase in overlooking or noise and general disturbance.

The amended scheme would be subject to the planning conditions and Section 106 obligations of the original approval under 2013/3494/P. These include a Construction Management Statement, sound insulation and attenuated ventilation details, samples of materials, details of the balustrade, cycle parking, noise levels from plant equipment, car-free units, a sustainability plan and the financial contributions (education and public open space).

No objections were received prior to making this decision. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposal is in general accordance with policies CS5, CS6, CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP5, DP6, DP24, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 3.3, 3.4, 3.5, 3.8, 7.4 and 7.6 of the London Plan March 2015, consolidated with alterations since 2011, and paragraphs 14, 17, 56 -68 of the National Planning Policy Framework.

- 2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ed Watson', with a stylized, cursive script.

Ed Watson  
Director of Culture & Environment